

In the Claims:

Please amend claims 7-12, 20, and 21, and add new claim 47, as shown below.

1. (Original): A tool for preparing the vertebral bodies for an implant comprising:

a cutter having,

a forked end having two tines,

a first cutting blade located on an inner side of each of the tines, and

a second cutting blade located on an outer side of each of the tines.

2. (Original): The tool according to claim 1 wherein the first cutting blades are inboard

of the second cutting blades.

3. (Original): The tool according to claim 1 wherein the second cutting blades are placed

further apart than the first cutting blades.

4. (Original): The tool according to claim 1 wherein the two tines have beveled leading

edges.

5. (Original): The tool according to claim 1 further having a blade protector.

6. (Original): The tool according to claim 5 wherein the blade protector is retractable.

7. (Currently Amended): The tool according to claim 1 wherein the upper first cutting blades are coplanar with the inner side of each tine.

8. (Currently Amended): The tool according to claim 1 wherein the first pair of cutting blades are coplanar with the outer side of each tine.

9. (Currently Amended): The tool according to claim 1 wherein the first and second pairs of blades are positioned and adapted to bypass nerves.

10. (Currently Amended): The tool of claim 1 wherein the tines have inboard and outboard beveled surfaces that converge and the upper first cutting blades have surfaces that are continuous with the inboard beveled surfaces and the lower second cutting blades have surfaces that are continuous with the outboard beveled surfaces.

11. (Currently Amended): The tool of claim 1 wherein the first pair of cutting blades are upper cutting blades and the second pair of cutting blades are lower cutting blades

12. (Currently Amended): The tool of claim 1 wherein the second pair of cutting blades are lower cutting blades positioned and adapted to bypass nerves.

13. (Original): A tool for preparing the vertebral bodies for an implant comprising:  
a cutter having,  
a forked end having two tines, and  
an upper cutting blade located on an inner side of each of the tines.

14. (Original): The tool according to claim 13, the cutter further comprising:  
a lower cutting blade located on an outer side of each of the tines.

15. (Original): The tool according to claim 13 wherein the tool has a handle at a distal end.

16. (Original): The tool according to claim 15 wherein the handle is a removable handle.

17. (Original): The tool according to claim 13 wherein the two tines have beveled leading edges.

18. (Original): The tool according to claim 13 further having a blade protector.

19. (Original): The tool according to claim 18 wherein the blade protector is retractable.

20. (Currently Amended): The tool according to claim 13 wherein the upper cutting blades are coplanar with ~~an~~ the inner surface of each tine.

21. (Currently Amended): The tool according to claim 14 wherein the lower cutting blades are coplanar with ~~an~~ the outer surface of each tine.

22. (Original): The tool according to claim 14 wherein the upper and lower blades are positioned and adapted to bypass a pair of nerves.

23. (Original): A tool for preparing the vertebral bodies for an implant comprising:  
a cutter having,  
a forked end having two tines, and  
a lower cutting blade located on an outer side of each of the tines.

24. (Original): The tool according to claim 23, the cutter further comprising:  
an upper cutting blade located on an inner side of each of the tines.

25. (Original): The tool according to claim 24 wherein the upper cutting blades are inboard of the lower cutting blades.

26. (Original): The tool according to claim 24 wherein the lower cutting blades are spread further apart than the upper cutting blades.

27. (Original): The tool according to claim 23 wherein the two tines have beveled lead in edges.

28. (Original): The tool according to claim 23 further having a blade protector.

29. (Original): The tool according to claim 28 wherein the blade protector is retractable.

30. (Original): The tool according to claim 24 wherein the upper cutting blades are coplanar with the inner side of each tine.

31. (Original): The tool according to claim 23 wherein the lower cutting blades are coplanar with the outer side of each tine.

32. (Original): The tool according to claim 24 wherein the upper and lower blades are positioned and adapted to bypass a pair of nerves.

33. (Withdrawn): A method of implanting an artificial disk between adjacent vertebrae comprising the steps of:

accessing first and second adjacent vertebrae;

simultaneously preparing a first pair of slots in the first vertebra and a second pair of slots in the second vertebra; and

implanting keels of the artificial disk in the first pair of slots and in the second pair of slots.

34. (Withdrawn): The method of claim 33 including the step of:  
preparing the first pair of slots to be closer together than the second pair of slots.

35. (Withdrawn): The method of claim 33 including the step of:  
preparing the first pair of slots to be inboard of the second pair of slots.

36. (Withdrawn): The method of claim 33 including the step of using a tool with first and second tines that are positioned in the disk space between the first and second vertebrae with a first blade that creates one of the first slots located on an upper surface of each tine and a second blade that can create one of the second slots located on a lower surface of each tine.

37. (Withdrawn): The method of claim 33 wherein the implant includes a first pair of upper and lower implant parts and a second pair of upper and lower implant parts, including the steps of:  
using a tool to hold the first pair of implants and placing the first pair of implants simultaneously in one of the first pair of slots and one of the second pair of slots; and  
using a tool to hold the second pair of implants and placing the second pair of implants simultaneously in the other of the first pair of slots and the other of the second pair of slots.

38. (Withdrawn): A method of implanting an artificial disk between adjacent vertebrae comprising the steps of:

accessing upper and lower adjacent vertebrae;  
simultaneously preparing a first pair of inboard upper slots in the upper vertebra and a second pair of outboard lower slots in the second vertebra; and  
implanting keels of the artificial disk in the first pair of slots and in the second pair of slots.

39. (Withdrawn): The method of claim 38 including the step of using a tool with first and second tines that are positioned in the disk space between the first and second vertebra with a first blade that creates one of the first slots located on an upper surface of each tine and a second blade that can create one of the second slots located on a lower surface of each tine.

40. (Withdrawn): The method of claim 38 wherein the implant includes a first pair of upper and lower implant parts and a second pair of upper and lower implant parts, including the steps of:  
using a tool to hold the first pair of implants and placing the first pair of implants simultaneously in one of the first pair of slots and one of the second pair of slots; and  
using a tool to hold the second pair of implants and placing the second pair of implants simultaneously in the other of the first pair of slots and the other of the second pair of slots.

41. (Withdrawn): A kit for installing an intervertebral implant including:  
an implant having an upper part and a lower part;  
a cutting tool; and  
an implanting insertion tool.

42. (Withdrawn): The kit of claim 41 including the cutting tool and further including first and second tines with an upper cutter on each tine and a lower cutter on each tine, with the upper cutters located inboard of the lower cutters.

43. (Withdrawn): The kit of claim 41 including the implant and further including a pair of upper and lower parts on the implant and a second pair of upper and lower parts, wherein the implant insertion tool includes a device that can hold and insert the first pair of upper and lower parts.

44. (Withdrawn): The kit of claim 43 including another implant insertion tool that can hold and insert the second pair of upper and lower parts.

45. (Withdrawn): The kit of claim 41 wherein the implant includes a ball and socket structure.

46. (Withdrawn): The kit of claim 41 wherein the implant includes a ball and socket structure as part of the upper and lower parts.

New Claims

Please add the following new claim.

47. (New) A tool for preparing upper and lower vertebral bodies for an implant, the tool comprising:

- a. a cutter body having a thickness dimension to distract the upper and lower vertebral bodies apart a distance to receive an implant;
- b. a first cutting blade protruding upwardly from the cutter body and adapted to cut a groove in the upper vertebral body; and
- c. a second cutting blade protruding downwardly from the cutter body and adapted to cut a groove in the lower vertebral body, wherein the first and second cutting blades are parallel to one another.